

Certainly it Should.
[Greensburg News.]
The Moffett bell punch should be adopted
Indiana

New York Store.

(ESTABLISHED 1833.)

CORSETS!

TO-DAY WE OPEN

- 50 Dozen Corsets at 25c. The best Corset ever sold in this city for the price.
- 50 Dozen Corsets at 50c; extra long and cheap at 75c.
- 50 Dozen 84 bone Corsets at 75c in Cardinal, Drab, Blue and White; good value for \$1.
- 60 Dozen French Woven Corsets (100 bones) \$1; never before sold under \$1.25.
- Also full line of Mrs. Turner's Abdominal, Patent Roman Side Lace, Dr. Warner's Improved, Thompson's Glove Fitting (in all grades), and

185 DOZEN

"New York Store" Corsets,

Patent Steel at \$1 and \$1.25. The "New York Store" Corsets, manufactured to our own order, are in every particular first class goods.

* ALL GOODS marked in plain figures.

PETTIS, IVERS & CO.

KID GLOVES.

Prices of All Gloves Reduced.

Our "Foster's" New Fastenings are positively the best thing out.

Elegant New Neckwear Open To-Day.

H. S. TUCKER.

No. 9 North Penn. St.

35 Cts. Per Yard

For a Good 2-Ply Carpet.

Straw Matting

25 per cent. cheaper than last year.

WALL PAPER AND LACE GOODS.

ROLL & MORRIS,

30, 32 and 34 S. Illinois St.

INDIANAPOLIS SAVINGS BANK.

66 EAST MARKET STREET.

Depositors only are Stockholders and receive entire net profits.

W. N. JACKSON, President.

JOHN W. RAY, Treasurer.

HOW IS THIS?

BEST Red Wheat Flour \$6.50 per brl. No. 1. Mass. avenue.

SWING & WOOLLEN.

tu, th, s (3)

TORCHON LACES, SILK FRINGES, GLOVES, HOSIERY, LINENS, DRESS GOODS.

Full Lines of Worsted FRINGES, in solid and mixed colors, to match Dress Goods.

SPECIAL NOVELTIES in Grenadines.

HESS, BAYLOR & CO.,

12 and 14 W. Washington St.

CITY NEWS.

Lockhart was taken to the northern prison this morning.

Is decoration day to be observed in Indianapolis this year?

J. H. Woodward, the gorgeous, is building a street railroad at San Antonio, Texas.

The county commissioners have reduced the circus tax from \$30 a day to \$25. Side show licenses remain at \$5.

Thomas C. Reading was nominated as democratic candidate for councilman from the seventh ward, yesterday, by a large majority.

The collections in the Catholic churches of this city, Easter Sunday, for the benefit of the seminary at Vincennes, amounted to \$600.

The passenger train on the I. & St. L. due here at 6 o'clock last evening was delayed until 3 o'clock this morning by the washing away of a bridge near Alton.

Edwin May has settled the trouble with the commissioners of Hamilton county, growing out of his dismissal as architect of the court house, by accepting \$1,200.

Mr. Austin H. Brown has said to a News reporter that he is not a candidate for the nomination for county clerk; that he doesn't care enough for the nomination to create all the bad feeling his candidacy appears to engender.

Gip Dupp, of Columbus, beat Chas. Cook, of this city, in the shooting match yesterday, killing 83 birds out of 100, Cook getting 80. This afternoon thirty members of the hunting and shooting club are shooting for a gold badge at the exposition grounds.

The class of citizens who think they can evade taxation by stating that their wives own a piece of land, and that the husband is a widower, will find that the law is not so easily evaded. A woman who has \$500 exempt, but the married woman with a better or worse husband has no relief.

"Care killed a cat," so said a Vandalia train the other day. So wary and agile an animal is not easily caught that way, and a year ago the "moralizer in ordinary" of The News noted a similar singular occurrence, with appropriate reflections. That time the cat was cut in the middle; this time its head was cut off as neatly as if it had been guillotined. Both were out in the country where cats are not wont to congregate considerably.

Pardons and their Effect.

There are still pending in the United States circuit court several cases on internal revenue gaugers and storekeepers' bonds. It will be remembered that the principals in these bonds were indicted, convicted, sentenced and pardoned. In the suits on the bonds the sureties pleaded in bar the conviction and pardon of their principals. The sufficiency of this plea has been argued before United States judges at St. Louis, and Chicago, as well as here. Last week Judge Treat, at St. Louis, held, in a case on a storekeeper's bond, that the pardon of the principal in the criminal case, covers not only the criminal offense, but also all damages consequent thereon; that the pardon is a condemnation of the offense, and is a forgiveness of all further liability, criminal or civil, and discharges the sureties. The judge notes the difference between this class of cases in England and America. A contrary doctrine prevailing in England. This decision establishes a new principle, and as the government has large interests involved, this case, or some similar one, will be taken to the U. S. supreme court, for final determination.

Supreme Court.

The following are abstracts of the decisions made April 24:

MARRIAGE OF INFANT WARD DISCHARGES GUARDIANSHIP—SETTLEMENT WITH GUARDIAN. Francis V. Hudson et al. vs. The State ex rel. Mary J. Sharpe et al. Hamilton C. C. Judgment reversed. Howk, J.

The marriage of any female ward to a person of full age shall operate as a legal discharge of the guardianship, and the guardian shall be authorized to account to the wife, with the assent of the husband. (2 R. S. § 591, sec. 2.) The infant wife may lawfully account, and make a valid settlement with her guardian, and she may authorize her husband to make the settlement. A payment made by a guardian to the husband of an infant wife, with her assent and by her direction, is good as to her. (46 Ind. 285.) With the consent and under the direction of the wife, the husband, if of full age, may make a full settlement with such guardian.

STATUTE OF FRAUDS—PART PERFORMANCE.

Elijah Wiley vs. Collins Bradley, Switzerland C. C. Judgment affirmed. Bidwell C. J. A set out fruit trees on B's land under a special contract by which he was to care for the trees while they lived and have a share of the fruit raised thereon. Subsequently, just as the trees were beginning to bear, B sold the land and A brought this suit to recover damages. Held, That part performance took the contract out of the statute of frauds requiring it to be in writing. B was benefited by the part performance, and an action will lie upon the implied promise to pay, independent of the special contract. (15 Ind. 1, 35 Ind. 1; 42 Ind. 158.)

PROMISSORY NOTE—PRINCIPAL AND SURETY—EVIDENCE.

Elisha R. Milam, ex. etc., vs. Martha A. Milam. Knox C. C. Judgment reversed. Perkins, J. A was a principal on a promissory note. B was his surety. Subsequently A died. Held: That it was competent for the proper court to allow the whole claim against the estate of the deceased. In a case of this kind it was competent for the court to permit the plaintiff to testify to the loss of the note upon which the claim was founded, and that it was lost by her and out of her possession. The statute of this state did not intend to narrow the common law rules as to the admissibility of witnesses to testify.

STATUTE OF FRAUDS—INSURANCE LAW.

Mary F. Langford vs. John B. Freeman. Putnam C. C. Judgment reversed. Worden J. Held, (1) A contract to answer for the debt of another must not only be in writing, but it must be based upon a sufficient consideration to support it and yet not furnish a ground of action if not reduced to writing. (45 Ind. 451; 54 Ind. 178.) The receipt by a mother of money upon the policy of insurance on the life of her son is not a good consideration for such promise, if it does not appear that the money did not properly belong to her. (2) When a new agreement does not put an end to the original debt and extinguish it, it will be regarded as collateral and within the statute. (3) If not reduced to writing. (54 Ind. 178; 57 Ind. 264; 55 Ind. 11.) If a mother promises a creditor of a deceased son to pay his claim, such promise is within the statute, as the payment of the claim will protect her from liability to the estate of deceased for assets in her hands. (Thorpe on verbal agreement, sec. 338.) A policy holder has a right to surrender the policy of insurance upon his life, payable to himself, and take out another payable to his mother. If she had no insurable interest in his life, the insurance company was the only one who could make any question in that respect.

BILL OF EXCEPTIONS.

William B. Wells vs. the Anderson, Lebanon & St. Louis railroad company. Clinton C. C. Judgment affirmed. Howk, J. (1) In this case it is insisted that the bill of exceptions is not true; but to us, under the law, it is properly in the record, it imports "absolute verity." (2) The matter assigned as error in this court should have been assigned as a cause for a new trial. A cause for a new trial can not be assigned as error in this court. (Buck, Fran., p. 129, and authorities cited; 57 Ind. 188.)

The news from the seat of war is constantly contradictory, but not so from Dr. Bull's Cough Syrup; every report concerning it proves it to be the best Cough Syrup known. Only 25 cents a bottle.

WORLD you be free from the tormenting pains caused by kidney disease, use Hunt's Remedy, the great kidney medicine. Kidney disease, dropsy and all diseases of the bladder and urinary organs are cured by Hunt's Remedy. One trial will convince you.

Wall Paper! Wall Paper!

WALLPAPER.

CATHCART & CLELAND,

26 E. Washington St.

FIRST CLASS Mercantile

PRINTING.

BUSINESS CARDS.

Indianapolis Sentinel Co.

Something New.

OLDS & ANDREWS'S

GERMAN MOTTLED SOAP

Contains no rosin or other adulteration. Factory, 617 South West street.

GREAT INDUCEMENTS IN DRY GOODS

Extra Quality Alpacas, 15c. Good Table Damask, 25c. No. 1 Feather Ticking, 16c.

Splendid Pant Stuffs for Boys, 15c. The Best PRINTS, the Newest Styles. Cotton Hosiery 6c, 7c, 8c, 10c.

The Pearl Edging

For Splendid, Pearls, Mussel, etc. A splendid trimming; will wash well. Only 5c per yd.

City Dry Goods Store,

No. 4 E. Washington St.

STORE OPEN EVERY EVENING

WATCHES,

DIAMONDS, JEWELRY

AND SILVERWARE,

At Your Own Price For a Few Days More.

Having leased my old room, No. 24 East Washington street, I will remove about April 1st, and until then I can be found at No. 50 East Washington street, where I will sell goods regardless of cost. COME EARLY AND SECURE BARGAINS. I am building large and commodious shops where I will be prepared to do the best of work. Any piece of jewelry made to order.

Diamond Setting a Specialty.

None but first-class workmen employed.

Remember the place—Until April 1st,

50 East Washington St.

AFTER THAT DATE,

No. 24 E. WASHINGTON ST.

HARRY CRAFT.

Don't Forget!

Made to order, Fine Sewed Boots, in the latest style, \$10; Pegged, \$8; Summer Shoes, \$7. A fit guaranteed. JOS. H. BICKER, 58 E. Market st., Martindale's Block, re. Repairing done promptly. (also in)

STEWARD

Paper Company,

BROOKVILLE, IND.

Fine Book, Newspapers.

The Indianapolis Daily and Weekly News is printed on paper manufactured by this company.

R. B. CONNER'S

DRUG STORE,

21 South Illinois St.

OPEN DAY AND NIGHT.

PAINTER'S MANUAL.—House and Sign

Painting, graining, varnishing, polishing, gilding, etc. Book of Alphabets, 50. Scrolls and Ornaments, 51. Furniture and Cabinet Finisher, 50. Watchmaker and Jeweler, 50. Carpenter, 50. Horsehoes, 25. Soapmaker, 25. Taxidermist, 50. Of booksellers or by mail, JESS HANLEY & CO., 119 Nassau street, New York.

NEVER KNOWN TO FAIL.

Dr. MORRIS'S Syrup of Tar, Wild Cherry and Honey has never been known to fail in permanently curing obstinate coughs, colds, croup, whooping cough, nor any diseases of the respiratory organs, and it does it, too, at once. It is not necessary to take it for a long time before you can discover its beneficial effects. Its sale in this community is immense, and its popularity universal. It should not be classed with compounds put up by inexperienced hands. Do not fail to give this great and potent remedy a trial. It will not disappoint you. Try it once. Regular size 50c and \$1. Sold by W. B. BROS., 190 Fort Wayne avenue, and J. W. Dyer, 344 East Washington street, and E. Martin, South Meridian street and Russell avenue. Also, Agents for Professor Parker's Pleasant Worm Syrup, which never fails. Pleasant to take, and requires no physic. Price, 25c. (All tu, th, s.)

GUNS.

SAMUEL BECK & SON, 54 S. Meridian st. Breach-Loading Shot Guns, Rifles and Repeating Guns, Ammunition and Fishing Tackle. Large stock and lowest prices. Thomas's Chilled Shot, Bogardus's Glass Balls and Traps. Guns, choke bored, for close shooting. Orders by mail have prompt attention.

Trustee's Sale

PERSONAL PROPERTY.

Notice is hereby given that the undersigned trustee under the deed of assignment of the firm of Omer Toussy & Co. will offer at public sale, commencing on Wednesday, the 22d day of May, 1878, at 10 o'clock a. m., all the personal property of said firm not previously disposed of, to-wit:

FIRST.

The fixtures, consisting of all the machinery, tubs, vats, tanks, crutching machine, Dean pump, presses, racks, presses, dies and moulds, scales, tools, etc., used by said firm in the manufacture of soap. Also all the material on hand, consisting of sal soda, silice, essential oils, greases, oils, etc.

SECOND.

The office furniture, consisting of desks, tables, chairs, sofa, store safe, letter press, mangle, etc. Also one large four wheel dray, one fine set double harness, one single set harness, one new delivery wagon, one farm wagon, one new delivery wagon, one set of manufactured soap on hand.

The sale of articles under head first will take place the given date and hour at the soap factory, No. 700 South West street, Indianapolis, Ind., and the sale of the articles under head second will commence on the day following at 10 o'clock a. m., at No. 23 East Georgia street, Indianapolis, Ind., and continue from day to day until all articles are disposed of.

Terms of sale: For all sales of and under one hundred dollars, cash in hand; all sales over one hundred dollars (\$100), one-third cash in hand, one-third in three months, and one-third in six months—for the deferred payments the purchaser giving his note with approved security, bearing six per cent interest, and waiting valuation and appraisal.

Further information of the above can be obtained of the undersigned, JESS HANLEY, Rooms 15 and 16 Talbot Block, Indianapolis, Ind.

(a) no to (m) t v u u e u to tu t

BANANAS PLANTAINS.

Large invoice just received.

HARWOOD & HUG,

(8-4) 29 N. Illinois st., (Y. M. C. A. Building.)

LOOK!

STOUT, the Hatter, is having another Grand Clearance Sale of

CAPS.

He is selling a Good Cap for 25 cents.

76 East Washington St.

CUSTOM SUITS

FROM NEW GOODS.

In correct styles, fit complete, at \$23. A gradual advance in price up to the finest goods imported.

J. W. CHIPMAN,

Representing Custom Department Messrs. Devlin & Co., New York, 33 West Washington street, at John Reame's.

Standard Rubber Hose,

HYDRANTS, Street Washers, Pumps, Hose Pipes, Couplings and Bands; Lead and Iron Pipe; Steam, Gas and Water Supplies; Bath Tubs, Range Boilers, Earthen Ware, etc.

JOHN KNIGHT,

110 and 112 South Delaware.

REMOVAL.

W. F. RUPP,

Merchant Tailor,

Has Removed to No. 23 E. Wash. St., and can compete with any firm in the city in prices, goods and styles.

FLOWERS

The Cheapest and Choicest,

GREENHOUSE

WOODRUFF PARK, N. Y.

FLOUTONISTS' JOURNAL gives the best standard and new pieces, heroic, pathetic, dramatic, dialect, humorous, etc. 10 cents of any new number or by mail, JESS HANLEY & CO., 119 Nassau street, New York.

FOWLER,

24 1-2 East Washington Street.

If you want the finest and best executed work in the Photograph line, drop in at the above place.

IN BANKRUPTCY.

This is to give notice that on the 23d day of April, A. D. 1878, a warrant in bankruptcy was issued against the estate of Horace B. Makepeace, of Indianapolis, in the county of Marion, and State of Indiana, who has been adjudged a bankrupt on his own petition; that the payment of any debts and delivery of any property belonging to said bankrupt, to him or for his use, and the transfer of any property by him are forbidden by law; that a meeting of the creditors of said bankrupt, to prove their debts and choose one or more assignees of his estate, will be held at the office of Henry Jordan, Register, room 6 Journal Building, Indianapolis, Ind., on the 16th day of May, A. D. 1878, at 10 o'clock a. m. BEN. J. SPOONER, tnt U. S. Marshal District of Indiana, Messenger.

IN BANKRUPTCY.

This is to give notice that on the 23d day of April, A. D. 1878, a warrant in bankruptcy was issued against the estate of Jere Smith, of Indianapolis, in the county of Marion, and State of Indiana, who has been adjudged a bankrupt on his own petition; that the payment of any debts and delivery of any property belonging to said bankrupt, to him or for his use, and the transfer of any property by him are forbidden by law; that a meeting of the creditors of said bankrupt, to prove their debts and choose one or more assignees of his estate, will be held at a Court of Bankruptcy, to be held at the office of Henry Jordan, Register, room 6 Journal Building, Indianapolis, Ind., on the 15th day of May, A. D. 1878, at 10 o'clock a. m. BEN. J. SPOONER, tnt U. S. Marshal District of Indiana, Messenger.

IN BANKRUPTCY.

This is to give notice that on the 23d day of April, A. D. 1878, a warrant in bankruptcy was issued against the estate of Jere Smith, of Indianapolis, in the county of Marion, and State of Indiana, who has been adjudged a bankrupt on his own petition; that the payment of any debts and delivery of any property belonging to said bankrupt, to him or for his use, and the transfer of any property by him are forbidden by law; that a meeting of the creditors of said bankrupt, to prove their debts and choose one or more assignees of his estate, will be held at a Court of Bankruptcy, to be held at the office of Henry Jordan, Register, room 6 Journal Building, Indianapolis, Ind., on the 15th day of May, A. D. 1878, at 10 o'clock a. m. BEN. J. SPOONER, tnt U. S. Marshal District of Indiana, Messenger.

IN BANKRUPTCY.

In the District Court of the United States for the District of Indiana.

In the matter of David M. Adams, bankrupt. In Bankruptcy.

At Indianapolis, April 17, 1878.

The undersigned hereby gives notice of his appointment as Assignee of David M. Adams, of Indianapolis, Indiana, within said district, who has been adjudged a bankrupt, upon his own petition, by the District Court of said district.

CYRUS T. NIXON, Assignee, Room 3 Journal Building, Indianapolis, Ind. uo o-Th

IN BANKRUPTCY.

In the District Court of the United States for the District of Indiana.

In the matter of Newsum, Billingsley & Garlick, bankrupts. In Bankruptcy.

At Indianapolis, April 17, 1878.

The undersigned hereby gives notice of his appointment as Assignee of Newsum, Billingsley & Garlick, of Indianapolis, Indiana, who have been adjudged bankrupts, upon their own petition, by the District Court of said district.

CYRUS T. NIXON, Assignee, Room 3 Journal Building, Indianapolis, Ind. uo o-Th

IN BANKRUPTCY.

In the District Court of the United States for the District of Indiana.

In the matter of Frederick J. Prall, bankrupt. In Bankruptcy.

At Indianapolis, April 17th, 1878.

The undersigned hereby gives notice of his appointment as Assignee of Frederick J. Prall, of Indianapolis, Indiana, within said district, who has been adjudged a bankrupt, upon his own petition, by the District Court of said district.

CYRUS T. NIXON, Assignee, Room 3 Journal Building, Indianapolis, Ind. uo o-Th

BUSINESS CARDS.

DR. CHAS. D. PEARSON, Office, 128 North Meridian street. Office hours, 9 to 10 a. m.; 1:30 to 4 p. m. and 7 to 8 p. m.

D. H. S. P. WHARTON—Office and real estate, 208 Bright street, cor. Vermont.

FINE PIANO TUNING.—Apply to Prof. J. HEINE, 30 Ross Block. (also in)

DR. H. D. DILL, 59 Indiana avenue.

MAHONEY & CLARK, Sculptors and Monument Makers, 70 N. Delaware st.

H. MONROE—Dr. H. GAGGART—Office, 56 E. Market st. Residence, 79 N. Alabama.

H. RODGSON, Architect, Rooms 2 and 4 Griffith Block.

HORSE-SHOERING.—By JOHN MALONEY, 33 S. Alabama street, who makes "on stick."

RENNAN, LONG & HERGEN, Undertakers, 15 Circle street.

J. T. ROY, M. D., Surgeon and Homoeopathic Physician, 59 Mass. ave., residence 719 E. Washington st.

W. S. HAYMOND, M. D., Surgeon, 56 Baldwin Block. Residence—College ave., and Tenth st. Office hours—From 9 a. m. to 10 p. m.

COLEMAN & HANSEN, Surgeons, Office—107 1/2 South Illinois street.

R. E. HAUGHTON, M. D., Physician and Surgeon. Office, 26 E. Ohio. Office hours from 7 to 9 a. m., 2 to 4 p. m., 6 to 8 p. m. Residence 429 Ash street.

DRS. WANDS & SUTCLIFFE, 84 East Market street.

Residence—Dr. Wands, 330 E. Vermont.

Residence—Dr. Sutcliffe, 350 E. McCarty.

Indianapolis Railway Time-Table.

DEPART. ARRIVE.

C. C. & C. L. Railway.

Depart. Arrive.

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FOR
Fine Trade,
Attention is called to our many Rich and Beautiful
Novelties in
DRESS FABRICS,
Now ready for inspection. We have the Largest
Stock of Elegant Goods ever shown
in this State.

Grenadines in
Chenille, Bourette, Damasse, Ar-
mure, Crape, and Other
Effects.

Novelties in Silks,
For Polonaise and Combination.
ARMURE SILKS, PERSIAN BROCADES,
DAMASSE, ETC.

Bargains in Black Gros-Grain Silks. All
the Best Makes constantly
on hand.

Fancy Silks in Endless Variety.

L. S. AYRES & CO.,
Indianapolis.
P. S.—Samples by Mail.

WE ARE DETERMINED
to make ours the leading Mil-
linery House in Indiana. We
have the room and location.
We have the goods, and will
have the public to judge as to
style and prices. **WOOD-**
BRIDGE & PIERSON, 8 East
Washington street.

Just Received
THE FINEST
BRACKETS
AND
CENTER STANDS
IN THE CITY.
KING'S FANCY BAZAAR,
8 East Washington.

Bird Cages, AT THE
Feather Dusters, Dollar
DISHES STORE,
AND 44 & 46
Glassware, E. Wash St.

WE have NOW on hand a
full line of fresh Imported, Key
West and other Clear Havana
Cigars.

CHAS. F. MEYER,
11 NORTH PENN. ST.

Dried Fruits.

FRESH GOODS JUST IN.

2 Casks New Turkish Prunes.
10 Boxes Finest French Prunes.
2 Barrels of Delaware Peeled
Peaches.
10 Boxes Alden Peaches.
1 Bbl. Red Raspberries.
2 Bbls. Genuine Shaker Corn.

H. SCHWINGE,
31 N. Pennsylvania St. and
259 Massachusetts Ave.

NOTICE.

We are to-day offering choice Red Wheat
Flour at \$6.50 per bbl.; best White Oats, 30
to 33 cents per bush.; Yellow Corn, 42 to 45
cents per bush.

56 and 58 North Illinois St.
W. N. FORD.

MIRAGE
A NEW BOOK,
By the Author of KISMET.
FOR SALE BY
Merrill, Hubbard & Co.
5 EAST WASHINGTON STREET. 5

CITY NEWS.
Thermometer.
74. 55° 11 p. m. 61°

Petitions in bankruptcy have been filed by
Andrew L. Whitely, Benwood, Clay county;
George A. Kirkpatrick, Broad Ripley, Marion
county; Noah Crim, Economy, Wayne
county.

Sheriff Pressley will not build a scaffold
for Greenleaf until the supreme court says it
will be necessary.

Jeremiah H. H. Falvey has been appointed
and commissioned by Governor Williams,
auditor of Pulaski county, vice Jacob Nichols,
deceased.

The stone quarry ton of inspection of the
state house commission will begin shortly.
The board think it will be cheaper and bet-
ter to connect the proposed railway switch
with the Union tracks than with the L. O. &
L., and this will probably be done.

James S. Hinton, ex-canal commissioner,
has been sent by request of Adjutant-General
Russ, to the scene of the Fountain county
murders, to carry assurance to the colored
miners that they will be protected by the
state and advise them to go to work imme-
diately.

It is understood that councilman Reed will
not relax his grip but is determined to return
to the city council. He nominates himself
as an independent. "As the young opossum,
hung in pouch maternal, grasps the nutrient
organ, whence the term mammalia," so he
attacheth himself to the municipal dog.

The German musical society will give a
concert at Mannerchor hall on next Sunday
evening. This society is composed of the
Mannerchor and Philharmonic band, both
organizations being of well known excellence.
The combination will be able to afford as
much musical treat as the city has ever en-
joyed.

Dr. Compton, who has the patient Mrs.
Sweet in charge, who was supposed to be
dying from the stroke of lightning, is of the
opinion that electricity had nothing to do
with the prostration further than to frighten
and probably to superinduce paralysis, to
which she was a subject anyway. She will
probably recover.

Thomas Hinesley lives four and a half
miles north of the city in Washington town-
ship. Seven or eight days ago his house was
destroyed by fire. Yesterday his neigh-
bors went to work, dug a cellar, and began
laying the foundation for a new house for
him. Ten farm teams came to the city this
morning, 4 for lumber and 6 for brick. They
propose to furnish their time and the greater
part of the material for the new edifice.

Minor Court News.

John and Ellen Kitchen have been ac-
quitted in the criminal court of the charge of
robbing James Baker of \$110.

Charles Patterson, colored, is on trial in
the criminal court for burglary. In the in-
dictment Charles is charged with breaking
into the mansion house of Mary Rollins with
the intent, then and there, to kill and murder
the said Mary and John Shepherd.

A jury in the civil circuit court sustained
L. Vanlandingham's final report as executor
of Sylvester Vanlandingham, deceased.

M. W. Taylor and H. E. Langdon beat
John Woodcut out of \$10 on the ring trick,
and a warrant was issued this morning for
his arrest.

Judge Elliott this morning granted a de-
gree of divorce to Martha Jewell, from
William Jewell, on the ground of abandon-
ment.

James McCoy, who was under \$1,000
bonds to appear for trial on the charge of
committing a felonious assault upon Chris-
tina Lambert two weeks ago to-night, was
surrendered to the sheriff this morning by
his bondsman, and committed to jail. His
victim is reported to be much worse, and
grave doubts of her recovery are entertained.

Wm. Boyce brings suit against Anna B.
Jesup and Alonzo White to recover \$2,000
damages sustained by reason of plaintiff's
arrest at instance of defendants on the
charges of obtaining money under false pre-
tenses, and of disturbing the peace.

A Golden Wedding.

The fiftieth anniversary of the wedding of
Mr. and Mrs. Michael G. Bright was cele-
brated at their residence, No. 292 North
Meridian street, yesterday afternoon,
where they received the congratulations
of a host of friends. The presen-
ces were chiefly of flowers, though sev-
eral ornaments and coins of gold were con-
tributed. The reception lasted from 1 to 6
o'clock, and among the callers were many
friends who had also nearly reached the
length of years enjoyed by this aged couple.

Mr. M. G. Bright and Miss Betsey Brooks
Stelle were married at Shelbyville, Ken-
tucky, April 24, 1828, and be-
gan housekeeping in Madison, Indiana,
where they resided until 1868, when they
moved to this city. Mr. Bright was born in
New York and came to Madison in 1820,
where he practiced law until 1865, when he
was stricken with paralysis and since which
time he has been an invalid. He is in his
76th year and his wife is nearly 70. Twelve
children were born unto them, five of whom,
R. J. Bright, William Bright, Mrs. Griffin,
and Mrs. Nichol of this city and Mrs. Korbly
of Madison are still living and together with
26 grandchildren were present at the anni-
versary celebration yesterday. The golden wed-
ding was followed by a party in the evening
given to the grandchildren.

Concert Saloons Again.

The concert saloon business is starting up
again, and before July there will probably be
as many musical drinkeries in the city as last
summer. Last evening a reporter sauntered
into one of these places where beer and beau-
tiful music, and listened to the sound of the
syrin, clothed in high-heeled gilt gaiters, very
long and exceedingly striped stockings, and
a necklace of Milton gold. A dissolute piano
accompanied her vocal effort, in which she
asserted, with numerous heart-wringing and
ear-stabbing quavers, "Me heart, me he-a-r-t,
me he-a-a-r-t is breaking. For me child, me
che-ild, me c-h-e-i-l-d is stole away."

County Bonds Once More.

To the Editor of The Indianapolis News.
In your issue of a few days ago Mr. E. F. Clay-
pool is reported as saying, "He knew the price (38
less 1 1/2 per cent. commission) was just as favorable
as could be obtained at that time or since. Indeed,
it has been impossible to dispose of the entire issue
at 38 cents; and if Mr. Lemon or anybody else
think they are such a desirable investment, the
rest of the bonds can easily be obtained by ap-
plying for them." Mr. Claypool further says, "We
wouldn't do it again for any less (than 2 1/2 per cent.)
money."

How would it strike the mind of the average tax-
payer of Marion county if, alongside of the forego-
ing statement of Mr. Claypool there was placed a
statement to the effect, last on Monday last a re-
sponsible party offered 97 cents on the spot for the
remainder of said bonds; and after two days' delay
for accommodation of Claypool and Stoddard, said
Claypool and Stoddard were announced to be the
purchasers at 98—less one-half of one per cent.
commission? There may come a time when pa-
tience with such practice will cease to be a virtue
on the part of

A TAX PAYER.

It is understood that the remaining \$20,000
have been sold to Claypool & Stoddard. The
terms of the sale can not be learned, further
than that the price was 98, the same as the
other lot. The commissioners, none of them
are in the city, and the clerk of the board
said no record of the sale was made. He
supposed Claypool & Stoddard received the
same commission—one and one-half per
cent.—as for the rest of the issue, but
was not positive, as no allowance had
been made. A commissioner stated yester-
day that the commission was one-half of one
per cent.

THE STATE HOUSE.

Judge Elliott Sustains a Demurrer to the
Complaint and Unhorses the Architects
—Their Future Action not Settled.

In the suit of Samuel B. Tibbitts, a tax-
payer of Jennings county, against the board of
state house commissioners and architect May,
for an injunction to restrain them from carry-
ing out the contract entered into between the
defendants for the erection of a state house,
Judge Elliott this morning sustained a de-
murrer to the complaint. The following is
the decision of the court in the matter:

The only interest which the plaintiff claims in
the adoption of a plan and selection of an architect
for the new state house is a property owner and
tax-payer of the state.

The complaint, in general terms and without
much particularity, charges the commissioners
with fraud.

It is doubtful whether the allegations of fraud
are sufficient—Curry vs. Keyser, 30 Ind. 214; 51 Ind.
56. But even if the allegations of fraud are suf-
ficient, they fail to give the plaintiff a cause of ac-
tion, for the complaint does not show any damage
resulting to him from the alleged fraud. "Fraud
without damage gives no cause of action." Brad-
shaw vs. Record, 84 Ind. 118; Wiley vs. Howard, 15 Ind.
It does not appear that the plaintiff or
any other tax payer has suffered, or will
suffer any loss. So far as the facts
stated in the complaint affect the sufficiency
of May's plan, they show it to be amended by
Wilson, the plan is a good and capable one, it is
not shown that a better plan than May's could
have been obtained; it is not asserted that any
competitor offered a better one. If the plaintiff
interest in this matter was immediate and direct,
he could not recover without showing that damage
resulted to him from the alleged fraud. It must
be inferred from the facts stated that May's plan
as amended and improved by Wilson, is a proper
one, and if so no tax payer can suffer loss by its
adoption and use, but to compel the commis-
sioners to proceed to re-investigate would create ad-
ditional expense, and increase, not lighten, the tax
payers' burden.

As to the alleged wrong already done in paying
Wilson for working on May's plan, I need only say
it is too late to remedy that by injunction. (Mar-
ket vs. Board, 55 Ind. 185.)

The complaint charges that the commissioners
did not examine all the plans submitted by com-
peting architects. In a former case I held they
were bound to examine all plans. I am well con-
vinced that the former ruling was right. But what
loss has the plaintiff suffered because of the omis-
sion to examine all the plans? He claims no in-
terest as a competing architect, and as a tax payer
he suffers no loss from the omission to make the
examination. It is not averred that a better plan
than May's was offered; it is not alleged that a
better one could have been obtained;
on the contrary, the inference from the facts
pleaded is that May's plan is a good and com-
plete one. If the commissioners had examined the
proper plan, although their acts may not have
been in accordance with the statute, no tax-payer
can be the loser. I fully recognize the rule that a
tax-payer may have an injunction to restrain the
collection of any illegal tax or the illegal expendi-
ture of public money. But in order to entitle
him to this remedy he must show that he has
concluded that he is likely to suffer loss by in-
creased taxation. There is no such showing
here. The tax will be levied and collected,
whether May's plan or that of some one else
be adopted. The particular plan chosen
does not, and can not under the law increase the
plaintiff's taxes. Whatever plan is adopted the ex-
pense of erecting the building is limited, and this
limitation must form part of all contracts, and the
taxes of the plaintiff can not be under the facts
stated, affected by the choice of plans. Nor is there
any threatened appropriation of money to illegal
purposes. The complaint shows that the commis-
sioners intend to build the state house on
May's plan, as amended and improved by Wilson.

The utmost that can be claimed upon the facts
stated is that the defendants are not adopting the
proper method of procedure, not that they are pro-
posing to divert the money to an illegal purpose.
The theory upon which a tax-payer is allowed to
maintain an action against public officers to en-
force the collection of taxes or the illegal appropria-
tion of public funds, is that the wrongful acts will
increase his burden. I think no case can be found
where a tax-payer has been allowed to maintain a
suit for "an injunction without showing that loss
will accrue to him in his individual rights." If the
remedy is denied him, I have examined the record
in the case of Market et al. vs. Board, 46 Ind. 26,
and find that the complaint in that case very clearly
showed that the plaintiffs were in danger of
having their taxes increased.

In this case the plaintiff is invoking the exercise
of an extraordinary remedy, is asking that the
"strong arm of the courts" be laid upon the pro-
ceedings of the defendants. It is well settled that
in such cases a clear right must be shown, and
danger of serious loss made to appear. The de-
murrer must be sustained for the reasons that the
plaintiff does not show sufficient interest to entitle
him to sue, and does not show that any loss to him
will result from the acts complained of.

A consultation of the rejected architects and
their attorneys was held this morning for the
purpose of deciding upon a plan for further
action, but at noon, when a News reporter
happened in on them, nothing had been de-
cided, and he was told that nothing would be
before night. Judge Elliott said that prob-
ably amended complaints would be presented
until they got a case to stick on paper and
then it might come to trial.

A Physician's Kindness.
A few evenings ago a little colored orphan
boy, was playing near the street car track on
North Illinois street. He was too careless
and a passing street car struck him, breaking
one of his legs in two places. He was car-
ried into a drug store and Dr. Parvin was
summoned. The little fellow had no money
or friends, but the doctor ordered a hack,
went with him to the city hospital and sat
up with him all night long. A case of dis-
interested generosity does not occur every
day and is so rare that it is well worth
noting.

Gambling Suppressed in Massachusetts.

[Boston Letter.]
The legislature has actually passed a law
making it an offense against the dignity of
the commonwealth for anybody to make a
bet a pool, on the result of an election,
horse race, base ball game or other matter of
chance—and thereby hangs a tale. The
wicked members of the legislature who re-
present the cities and large towns, seeing that
the superior virtue of the rural districts over-
weighed them in favor of the bill tacked on
to an amendment providing that the pen-
alty portion of it shall also be applicable to
all games of chance. After the bill was fi-
nally passed, it was discovered by the church
people that "grab boxes," chances in prizes,
etc., are now "against the law." The gamblers
at horse races say it is a poor rule that
don't work both ways, and that gambling at
church fairs is just as wicked as betting on
the superior speed of a favorite horse.

To urge upon the owners of property the

wisdom of fire insurance is a sheer waste of
words, as everybody knows its value, the
necessity of it, and the good which is de-
rived from it. The main object in consid-
ering this question is the responsibility of the
company, as to its prompt and full payment
of losses, and whether its premium rate is a
fair one. These questions settled, all one has
to do is to submit their risk to an agent and
have their policy written. It is conceded by all
who are acquainted with it, that the Franklin
Fire insurance company, located at the cor-
ner of Circle and Market streets, this city,
possesses all the qualifications to answer the
above questions in a satisfactory manner, and
the large amount of business (which is steady-
ly increasing) transacted by them is a guar-
antee that the public appreciate good sound
fire insurance.

Tickets for Van Amburg's circus and me-
nagerie can be had for 25 cents and 50 cents,
at Cole's drug store.

LOCAL ITEMS.

ALL kinds window glass, Browning & Sloan's.
to s

BANKRUPT blanks of all kinds at Burford's, 21
West Washington st. to s

Soaps, oils, extracts, Browning & Sloan's. to s

PATENT medicines, Browning & Sloan's. to s

LIST of good things at Haegels & Fowler's: Shad,
frogs, striped bass, black bass, fresh mackerel, halibut,
white fish, trout, salmon and pilch. 90 East
Market st.

THE LADIES
are cordially invited to call and examine our stock
of millinery. All the new shapes in chip and
straw hats; all the new shades in satins, ribbons,
feathers, flowers, etc. Fancy goods, trim, rush-
ings, in great variety, which we will sell at prices
to defy competition. Districts & Walker, No. 10
E. Washington st. to s

PRESCRIPTIONS carefully prepared, Browning &
Sloan's. to s

Size advertisement Turkish baths in this paper.
o 79

ALL kinds brushes, Browning & Sloan's. to s

SPONGES, powders, perfumeries, Browning &
Sloan's. to s

BURNETT'S COCAINE is the best and cheapest
hair dressing in the world. It kills dandruff, al-
ways irritates, and promotes a vigorous growth of
the hair. (S)

BOYS' straw hats, 10c, at Stout's. no*

TEAS.
RECEIVED
100 CHESTS
Fine Black Teas
CONSISTING OF

40 CHESTS FINEST NEW
OOLONGS. Price, \$1.

20 Chests second quality New
OOLONGS. Price, 75c.

40 Chests third grade New
OOLONGS. Price, 50c lb.

No. 34 W. Washington St.
No. 7. Odd Fellows' Hall.
No. 250 Virginia Avenue.
No. 1 Madison Avenue.

H. H. LEE.

The same Quality and Style
can not be made for less than
our prices. **EGAN & TREAT,**
The Tailors.

\$1.75
FOR LADIES' CUSTOM-MADE
Pebble Goat Side Lace.

LADIES' Kid Side Lace.....\$2 00
LADIES' Fine Curuso.....2 50
LADIES' French Heel Side Lace... 3 00
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LADIES' Finest Kid Button.....3 00

BARNARD'S
City Shoe Store,
8 West Washington st.
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AFTER TO-DAY
PERRY, The Druggist,
WILL BE FOUND AT THE
Cor. of Penn. and Washington Sts.

TURKO-RUSSIAN BATHS.
Electro, Magnetic, Steam, Vapor and Medicated
Baths, for the cure of Chronic Diseases, Rheuma-
tism, Neuralgia, Dyspepsia, Eruptive Diseases,
treated successfully. G. W. BISTLINE, M. D.,
Office—Rooms 15 and 16 Circle Hall, Indianapolis, Ind.

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and Manufacturers of **OILS,**
COAL MINE and R. R. SUPPLIES, 67
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Grimes & Cloud,
New Grocery,
Cor. N. Jersey and St. Clair.
Everything the market affords **BOTTOM PRICES.**

TRY OUR
75-CENT
Gunpowder Tea.

SCHMIDT & DENGES,
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J. A. M'KENZIE,
THE ONE PRICE
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JUST RECEIVED
TWO CASES LATE STYLES OF
Neckwear
38 West Washington St.

FRENZEL BROTHERS,
EXCHANGE
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Passage Agents,
No. 48 E. Washington St.
(Merchants' National Bank).
Represent all of the principal Eng-
lish, German, French and American
Steamship Lines.
Drafts and Letters of Credit on all principal for-
eign cities at lowest rates. Prompt attention given
to collections and claims in Europe.

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LAWYERS

BOWEN, STEWART & CO.

HAVE THE
BLACKSTONE

Engrossing PEN.

C. O. D.

Yes, we COULD if we choose,
sell goods at LESS than job-
bers prices. This is a nice
come down from we positive-
ly do to we could if we
choose. We have never ad-
vertised to sell goods at less
than cost, but ALWAYS at a
profit, and at less prices than
the usual dealers, (jobbers in-
cluded.)
For this day's trade we have
several specialties. Some
styles in WHITE VESTS for
to-day's trade, from 75c to
\$5. Suits made to order from
\$18 to \$35. Pants (all wool)
at \$4, at the.

C. O. D.
No. 13 W. Washington St.
GEORGE H. HEITKAM,

R. R. MILES,
Merchant Tailor.

First-Class Goods and work Cheaper
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Penn. and see.

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3 BRLS. BEST
Sorghum Molasses,
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POTATOES 25c per bushel, delivered to any part
of the city.

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We furnish everything needed by Sunday
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The Peerless SHIRT
For 75c.
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The Peerless SHIRT
For \$1.
BUY
The Peerless SHIRT
For \$1.50,
AT THE
WHEN Clothing Stores.

87 Warranted Perfect Fitting or the money re-
funded.
North Pennsylvania St. and
40 West Washington St.

100 DOZEN
4 Ply Slightly Soiled Linen Collars,
10c each, \$1.30 per dozen.
SHIRTS MADE TO ORDER.
Acme of perfection in workmanship and fit guar-
anteed, for \$15, \$24 and \$30 per dozen. The best
material used.

WALLACE FOSTER,
Shirt and Men's Furnisher,
20 North Pennsylvania St.

STARTLING REDUCTION!!
6 SHIRTS FOR
\$9, FORMER \$15.
MADE TO ORDER, OF
WAMSUTTA MUSLIN.

FINE LINEN BOSOMS
Superbly Laundered at the
Palace Shirt Factory,
46 West Washington St.,
OPPOSITE OCCIDENTAL HOTEL.

NOTICE.
Sealed Proposals will be received at the office of
the State House Commissioners for the sale and re-
moval within thirty days of all the buildings and
fencing belonging to the State on the State House
grounds except the buildings on the market space,
the office of the Commissioners, and the buildings
on the corner of Mississippi and Market streets.
Proposals will be opened on the second day of
May next.
Bids may be made on each house separately.
Information may be had of the Secretary.

ROBERT P. HAYNES,
Secretary of the Board.

WE HAVE DAILY ARRIVALS OF Best
XXXX Flour, White, Yellow and Pearl
Meal, Sweet Oats, Yellow Corn, Baled Hay,
etc., for sale at a small profit. 69 N. Ill. st.

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The Poole Laundry,
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REMOVAL.
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